

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-CR-00145 (PP-WED)

LISA HOFSCHULZ and ROBERT HOFSCHULZ,

Defendants.

MOTION TO MODIFY BOND CONDITIONS

The United States of America, by undersigned counsel, respectfully requests that this Court modify Lisa Hofschulz's bond conditions to add a condition that forbids her from prescribing any controlled substance. The United States proffers the following facts in support of this motion. Drug Enforcement Administration ("DEA") Diversion Group Supervisor Laura Reid could testify to the operative facts at a hearing if necessary.

On June 26, 2018, a grand jury in the Eastern District of Wisconsin indicted Lisa Hofschulz and Robert Hofschulz on various charges related to distributing controlled substances outside of a professional medical practice and not for a legitimate medical purpose in connection with a pain clinic they owned and operated. Doc. 1. At the arraignment on July 19, 2018, this Court set Lisa Hofschulz's bond conditions. Doc. 7. One of those conditions forbade her from prescribing opioids. *Id.* The United States requested this relatively narrow condition even though the indictment listed numerous, non-opioid controlled substances that a grand jury found probable

cause to believe that Lisa Hofschulz was prescribing outside of a professional medical practice and not for a legitimate medical purpose.

Lisa Hofschulz currently has a DEA number in Wisconsin that allows her to prescribe controlled substances in Wisconsin (although her license to practice medicine in Wisconsin is expired). For the past several years, Lisa Hofschulz has been prescribing controlled substances in Florida under her Wisconsin DEA number, which is contrary to DEA regulations.¹ In December of 2017, Diversion Group Supervisor Laura Reid warned Lisa Hofschulz to stop prescribing controlled substances in Florida under her Wisconsin DEA number when Reid interviewed Hofschulz in this case. Hofschulz then applied for a DEA number in Florida, but her application was denied. Despite Reid's warning, Hofschulz continued to prescribe controlled substances in Florida under her Wisconsin DEA number. In March of 2018, Reid told Hofschulz's attorney (Michael Chernin) to advise Hofschulz that it was contrary to DEA regulations for Hofschulz to prescribe controlled substances in Florida under her Wisconsin DEA number. Despite this second warning, Hofschulz continued to do so. Finally, in November of 2018, Reid told Hofschulz's new attorney (Brent Nistler) to warn Hofschulz that her continued prescribing of controlled substances under her Wisconsin DEA number in Florida was contrary to DEA regulations. Despite this third warning, Hofschulz has continued to prescribe controlled substances in Florida under her Wisconsin DEA number.

CONCLUSION

For the reasons stated above, the Court should impose a bond condition on Lisa Hofschulz that forbids her from prescribing all controlled substances.

Respectfully submitted this 20th day of May, 2019.

¹ See <https://www.federalregister.gov/documents/2006/12/01/E6-20334/clarification-of-registration-requirements-for-individual-practitioners>

s/ Zachary J. Corey

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